



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Policy & Procedures Relating to Administration of Parking Citations

MEETING DATE: October 19, 1994

PREPARED BY: City Attorney


RECOMMENDED ACTION: Council consideration and possible introduction of Ordinance No. 1601 adding Lodi Municipal Code Chapter 10.58.

BACKGROUND INFORMATION: Effective July 1, 1993 parking citations were decriminalized. The net effect of this change in the law is that City parking citations will now be processed within an administrative adjudication system operated by the City.

In accordance with this change in the law (codified at Vehicle Code §40200 et. seq.) the City must implement a program for conducting evidentiary citation hearings to be presided over by a hearing examiner. This proposed ordinance will help bring the City into compliance with these requirements.

FUNDING: Unknown.

Respectfully submitted,

  
Bob McNatt  
City Attorney

BM:pn

CCPARK.CIT/TXTA.01V

APPROVED \_\_\_\_\_

THOMAS A PETERSON  
City Manager



ORDINANCE NO. 1601

=====

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
ADOPTING POLICY & PROCEDURES RELATING TO ADMINISTRATION  
OF PARKING CITATION VIOLATIONS

=====

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Chapter 10.58 Policy and Procedures Relating to Administration of Parking Citation Violations, is hereby added to the Lodi Municipal Code to read as follows:

Chapter 10.58  
Policy & Procedures Relating to Administration  
of Parking Citation Violations

10.58.010 Purpose:

Effective July 1, 1993 Assembly Bill 408 codified as §40200 et seq. of the Vehicle Code, decriminalized parking citations, removed parking citation processing from the courts and established a system of administrative adjudication for these offenses.

In accordance with Assembly Bill 408, the City has assumed responsibility for parking citation processing and hereby implements a parking citation hearing examiner program as provided in this chapter.

10.58.020 Traffic Hearing Examiner:

By resolution adopted pursuant to this chapter the City Council shall designate a Traffic Hearing Examiner, for an indefinite term, subject to removal by a majority vote of the Council. The Traffic Hearing Examiner shall be a City employee qualified to conduct the Administrative Review Hearing objectively and in accordance with law. The Traffic Hearing Examiner's continued employment, performance evaluation, compensation and benefits shall not be directly or indirectly linked to the amount of fines collected by the Traffic Hearing Examiner or the City;

10.58.030 Administrative Adjudication Manual:

In order to provide for the hearing and disposition of contested cases involving parking violations of the California Vehicle Code and the Lodi Municipal Code the Council by resolution shall adopt an Administrative Adjudication Manual which will set forth the policies and procedures for conducting Administrative Review Hearings in accordance with all applicable law. The manual may be amended by the Council from time to time by resolution.

10.58.040 Fee Schedule:

By resolution adopted pursuant to this chapter, the Council shall adopt a schedule of penalties, administrative fees and any other related charges. The schedule may be amended by the Council from time to time by resolution.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this            day of

\_\_\_\_\_  
JACK A. SIEGLOCK  
Mayor

Attest:

JENNIFER M. PERRIN  
City Clerk

=====  
State of California  
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1601 was introduced at a regular meeting of the City Council of the City of Lodi held October 19, 1994 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 1994 by the following vote:

Ayes:	Council Members -
Noes:	Council Members -
Absent:	Council Members -
Abstain:	Council Members -

I further certify that Ordinance No. 1601 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN  
City Clerk

Approved as to Form

BOBBY W. McNATT  
City Attorney

ORD1601/TXTA.01V